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PART II—Section 1

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इस भाग में निम्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके ।

Separate paging is given to this Part in order that it may be filed as a separate compilation.

MINISTRY OF LAW AND JUSTICE

(Legislative Department)

New Delhi, the 23rd December, 1971/Pausa 2, 1893 (Saka)

The following Act of Parliament received the assent of the President on the 23rd December, 1971, and is hereby published for general information:—

THE ESSENTIAL COMMODITIES (AMENDMENT) ACT, 1971

No. 66 of 1971

[23rd December, 1971]

An Act further to amend the Essential Commodities Act, 1955.

BE it enacted by Parliament in the Twenty-second Year of the Republic of India as follows:—

1. This Act may be called the Essential Commodities (Amendment) Act, 1971. Short title.

10 of 1955. 2. In section 3 of the Essential Commodities Act, 1955 (hereinafter referred to as the principal Act),—

Amendment of section 3.

(i) in sub-section (2), for clause (j), the following clause shall be substituted, namely:—

“(j) for any incidental and supplementary matters, including in particular, the entry, search or examination of premises, aircraft, vessels, vehicles or other conveyances and animals, and the seizure by a person authorised to make such entry, search or examination,—

(i) of any articles in respect of which such person has reason to believe that a contravention of the order has been, is being, or is about to be, committed and any packages, coverings or receptacles in which such articles are found;

(ii) of any aircraft, vessel, vehicle or other conveyance or animal used in carrying such articles, if such person has reason to believe that such aircraft, vessel, vehicle or other conveyance or animal is liable to be forfeited under the provisions of this Act;

(iii) of any books of accounts and documents which in the opinion of such person would be useful, for, or relevant to, any proceedings under this Act and the return of such books of accounts and documents to the person from whom they were seized after copies thereof or extracts therefrom, as certified by that person in the manner specified in the order, have been taken.”;

(ii) in sub-section (3B),—

(a) in the opening portion, for the words “there shall be paid to that person such price for the foodgrains, edible oilseeds or edible oils as may be specified in that order having regard to—”, the words “there shall be paid as the price for the foodgrains, edible oilseeds or edible oils—” shall be substituted;

(b) in clause (i), for the word “and” occurring at the end, the word “or” shall be substituted;

(c) in clause (ii), for the words “the price”, the words “where no such price is fixed, the price” shall be substituted.

Amendment of section 5.

3. In section 5 of the principal Act, for the words and figure “the power to make orders under section 3”, the words and figure “the power to make orders or issue notifications under section 3” shall be substituted.

Act 47 of 1964 to be made permanent.

4. The Essential Commodities (Amendment) Act, 1964, the duration of which extends up to and including the 31st day of December, 1971, is hereby made permanent, and accordingly that Act shall have effect subject to the modification that in section 1 of that Act, sub-section (3) shall be omitted.

Amendment of section 12A.

5. In section 12A of the principal Act (inserted therein by section 2 of Act 47 of 1964), to sub-section (1), the following provisos shall be added, namely:—

“Provided that—

(a) every such notification issued after the commencement of the Essential Commodities (Amendment) Act, 1971, shall, unless sooner rescinded, cease to operate at the expiration of two years after the publication of such notification in the Official Gazette;

(b) every such notification in force immediately before such commencement shall, unless sooner rescinded, cease to operate at the expiration of two years after such commencement:

Provided further that nothing in the foregoing proviso shall affect any case relating to the contravention of a special order specified in any such notification if proceedings by way of summary trial have commenced before that notification is rescinded or ceases to operate and the provisions of this section shall continue to apply to that case as if that notification had not been rescinded or had not ceased to operate.”.

N. D. P. NAMBOODIRIPAD,
Joint Secy. to the Govt. of India.